

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 4/13/21
--

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

-----X  
UNITED STATES OF AMERICA,

-against-

DRAGOMIR CERANIC,

Defendant.  
-----X

**19 CR 605 (VM)**

**ORDER**

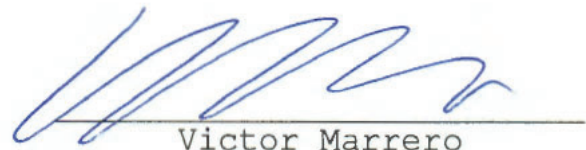
**VICTOR MARRERO, U.S.D.J.:**

Counsel for Defendant, with the consent of counsel for Government (see Attached Letter), requests that the Court conduct a plea remotely (via teleconference or videoconference) under Section 15002(b) of the Coronavirus Aid, Relief, and Economic Security Act ("CARES Act"), which allows for felony plea proceedings to be held remotely only when the district judge "in a particular case finds for specific reasons that the plea or sentencing in that case cannot be further delayed without serious harm to the interests of justice." See also In re Coronavirus/COVID-19 Pandemic, Second Amended Standing Order re: Video Teleconferencing and Telephone Conferencing for Criminal Proceedings, 20 Misc. 176, Dkt. No. 3, at 3 (S.D.N.Y. Sept. 16 2020) (authorizing the use remote proceedings for felony pleas only upon a finding by the presiding judge that the "proceeding cannot be further delayed without serious harm to the interests of justice.").

The Court is persuaded that the plea in this case cannot be further delayed without serious harm to the interests of justice. Further delay of his plea proceeding will prevent the Defendant from availing himself of the Government's plea offer and from resolving this matter expeditiously. Additionally, it is not certain when the Court will be able to conduct the Defendant's plea in person. Conducting the Defendant's plea remotely therefore "promotes judicial economy." Cohen, 2020 WL 2539115, at \*2. It "preempt[s] the parties' [potential] motions to this Court requesting further scheduling changes." Id.; United States v. Portolyoni, No. 09 CR 674, 2020 WL 5604047, at \*3 (S.D.N.Y. Sept. 18, 2020). It also avoids adding to "the existing backlog of cases in the federal court system" and the "deluge of [requests for] hearings once in-person proceedings can safely resume." Cohen, 2020 WL 2539115, at \*2. Therefore, the Court authorizes the magistrate court to proceed remotely in this matter.

**SO ORDERED:**

Dated: New York, New York  
13 April 2021

  
Victor Marrero  
U.S.D.J.

# Federal Defenders OF NEW YORK, INC.

Southern District  
52 Duane Street-10th Floor, New York, NY 10007  
Tel: (212) 417-8700 Fax: (212) 571-0392

*David E. Patton*  
Executive Director  
and Attorney-in-Chief

*Southern District of New York*  
*Jennifer L. Brown*  
Attorney-in-Charge

April 12, 2021

**BY ECF AND EMAIL**

Honorable Victor Marrero  
United States District Judge  
Southern District of New York  
500 Pearl Street, Room 1610  
New York, New York 10007

**Re: United States v. Dragomir Ceranic**  
**19 Cr. 605 (VM)**

Dear Judge Marrero:

This letter is respectfully submitted on behalf of my client, Dragomir Ceranic, with the consent of the Government, by Jason M. Swergold, Esq. The parties have entered into a plea agreement, and Mr. Ceranic is prepared to enter a guilty plea pursuant to that agreement. Mr. Ceranic is prepared for a change of plea hearing to take place on April 16, 2021, the next scheduled conference date, or any date convenient to the Court.

Mr. Ceranic requests that his guilty plea be done remotely. The Government agrees that a remote plea is warranted under the CARES Act in light of the continuing threat of COVID-19 and Mr. Ceranic's desire to reach a resolution of the charges as quickly as possible. Mr. Ceranic is currently released on bail and it is likely that counsel will seek a sentence of Time Served.

Respectfully submitted,  
/S/  
Robert M. Baum  
Assistant Federal Defender

**SO ORDERED:**

**HONORABLE Victor Marrero**  
United States District Judge

cc: Jason M. Swergold, Esq.  
Assistant United States Attorney